

Todd M. Friedman, Esq. (216752)
Law Offices of Todd M. Friedman, P.C.
324 S. Beverly Dr., #725
Beverly Hills, CA 90212
Phone: (877) 206-4741
Fax: (866) 633-0228
tfriedman@AttorneysForConsumers.com
Attorney for Plaintiff

**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA**

TOMMY PHILLIPS, Individually
and On Behalf of All Others Similarly
Situating,

Plaintiff(s)

vs.

WILBER & ASSOCIATES, P.C.,
Defendant.

) Case No. 3:16-cv-03936-LB

) **NOTICE OF VOLUNTARY**
) **DISMISSAL OF ACTION WITH**
) **PREJUDICE AS TO THE NAMED**
) **PLAINTIFF AND WITHOUT**
) **PREJUDICE AS TO THE**
) **PUTATIVE CLASS**

NOTICE IS HEREBY GIVEN that Plaintiff, pursuant to Federal Rule of Civil Procedure 41(a)(1), hereby voluntarily dismisses the entire case with prejudice as to the named plaintiff, and without prejudice as to the putative class. Defendant has neither answered Plaintiff's Complaint, nor filed a motion for summary judgment. Although this case was filed as a class action, no class has been certified, and court approval of this voluntary dismissal is therefore not required under Rule 23(a) of the Federal Rules of Civil Procedure.

Respectfully submitted this 21st day of October, 2016

By: s/Todd M. Friedman, Esq.
TODD M. FRIEDMAN
Attorney for Plaintiffs

1 Filed electronically on this 21st day of October, 2016, with:

2 United States District Court CM/ECF system

3 Notification sent electronically via the Court's ECF system to:

4
5 Honorable Laurel Beeler
6 United States District Court
7 Central District of California

8 And sent via mail to:

9 Ken Wilber
10 The Wilber Group
11 210 Landmark Dr.
12 Normal, IL 61761

13 s/Todd M. Friedman, Esq.
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